

Office of the Secretary of Defense

§ 152.6

section. However, when earlier implementation is required, proposed changes may be sent to the General Counsel for coordination under DoDD 5000.19.

(2) Proposed changes to the Manual for Courts-Martial under this section are subject to the public notice procedures of paragraph (c) of this section.

(c) *Public Notice.* (1) Notice that the Department of Defense intends to recommend changes to the Manual for Courts-Martial shall be published in the FEDERAL REGISTER before submission of such changes to the President, unless the Secretary of Defense proposes that the President issue the change without such notice on the basis that notice and public procedure thereon is unnecessary or contrary to the sound administration of military justice.

(2) The Joint Service Committee on Military Justice shall coordinate with the Office of General Counsel as to the timing and content of such notice.

(3) The notice shall include a brief description of the matters contained in the proposed change, the time and place where a copy of the proposed change may be examined, and the procedure for obtaining a copy of the proposed change.

(4) A period of not less than 75 days after publication of notice shall be allowed for public comment, but a shorter period may be prescribed when it is

determined that a 75-day period is unnecessary or contrary to the sound administration of military justice.

(5) Comments shall be submitted to the Joint Service Committee on Military Justice.

§ 152.5 Responsibilities.

(a) The General Counsel is responsible for the administration of this part including approval of the annual review of the Manual for Courts-Martial, coordination of any proposed changes to the Manual for Courts-Martial under DoD Directive 5500.1, approval of any proposed changes to the Discussion and Appendices accompanying the Manual for Courts-Martial, and transmittal to the Congress of rules approved by the President. See Article 36, UCMJ (10 U.S.C. 836 and 10 U.S.C. 867 (g)).

(b) The Judge Advocates General of the Military Departments; the Director, Judge Advocate Division, Headquarters, U.S. Marine Corps; and the Chief Counsel, U.S. Coast Guard are responsible for appointment of representatives to the Joint Service Committee on Military Justice.

§ 152.6 Information requirements.

The reporting requirement prescribed in § 152.4(a) is exempt from formal approval and licensing in accordance with subsection VII.C. of enclosure 3 to DoD Directive 5000.19.